REMARKS

Applicants have carefully considered this Application in connection with the Examiner's Action, and respectfully request reconsideration of this Application in view of the above Amendment and the following remarks.

Pending in the application are Claims 1 – 4, 7 – 9, and 11 – 15.

I. Claim Amendments

Applicants have amended Claims 1, 4, 13, 14, and 15. Applicants assert that the amendments made to these claims are fully supported by the specification. The Specification at Page 10, lines 11 – 12, clearly states that the compounds are **partially** alkylated. Thus, anyone of skill in the art would understand that the compounds do not contain the maximum number of alkyl groups. A person of skill in the art could tell immediately from looking at the structure of the compound that the maximum number of alkyl groups is 12. Thus, the compounds can have anywhere from 1 to 11 alkyl groups. The Specification at Page 17, lines 18 – 19, states "following alkylation, the product can contain between 1 and 11 alkyl substituents." This statement clearly supports the claim amendments.

II. Rejections Under 35 U.S.C. §112

Claims 4, 8 – 9, and 13 – 15 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite.

To support the amendment to Claim 4, Applicants have amended Claim 1 to clarify that the compounds are not fully alkylated, in that at least one R_1 group is H and the remaining entire 11 or fewer of 11 R_1 groups are CH_2CO_2K. Applicants respectfully assert that it is apparent from the claim that the compound shown in Formula 1 has a total of twelve R_1 groups. If the compound shown in Formula 1 were fully alkylated, then all twelve R_1 groups would be CH_2CO_2K. However, as described in the original version of Claim 1, at least one R_1 group must

be H, so the compound in Formula 1 can never be fully alkylated. Thus, at least one R_1 group is H and, depending on how many R_1 groups are H, the remaining 11 or fewer R_1 groups are CH_2CO_2K.

Claim 4 has been amended to clarify that it is a mixture of the compounds of Claim 1, wherein each compound in the mixture has a different degree of alkylation. As described in Claim 4, and due to its dependency on Claim 1, each compound in the mixture is not fully alkylated. Specifically, each compound in the mixture has no more than 11 R_1 groups which are CH_2CO_2K. Furthermore, each compound in the mixture described in Claim 4 can have a different degree of alkylation, in that each compound independently can have between 1 and 11 R_1 groups that are CH_2CO_2K.

Applicants have not amended Claims 8 – 9 because the Examiner's reason for rejecting these claims under 35 U.S.C. §112 remains entirely unclear. In the original Office Action dated Nov. 24, 2004, the Examiner asserted that "Claims 4, 8 – 9, and 13 recite the limitation 'formula I' in 'formula I having different degrees of alkylation.'" However, it is abundantly clear that Claims 8 – 9 contain no such language. Claims 8 – 9 are dependent upon Claims 1 – 4, however. If the Examiner's rejection of Claims 8 – 9 is based on their dependency on Claims 1 – 4, then Applicants respectfully assert that the amendments to Claims 1 and 4 have overcome these rejections. Applicants respectfully request that the Examiner withdraw the rejections of Claims 8 – 9 or at least provide an additional explanation as to why these claims have been rejected.

Applicants have amended Claims 13 – 14 to clarify that the method of treatment involves administering compounds of Claim 1 or Claim 3, all of which may have different degrees of alkylation. As described above with regard to the amendments to Claims 1 and 4, the number of R_1 groups that are CH_2CO_2K independently ranges from 1 to 11 for each compound in the mixture. None of the compounds may have 12 R_1 groups that are CH_2CO_2K because this would indicate full alkylation. As the claims require, none of the compounds in the mixture can be fully alkylated. Applicant respectfully asserts that these amendments fully clarify the meaning of "having different degrees of alkylation."

Applicants have also amended Claim 15 to specify that this claim is dependent on Claims 12 – 14. This amendment corrects an inadvertent error in the original wording of the claim. Clearly, Claim 15 is intended to be dependent upon the method of treatment claims. Furthermore, in view of the amendments made above to Claims 13 – 14, Applicants respectfully assert that the rejection of Claim 15 under 35 U.S.C. §112 should be withdrawn.

III. Rejections Under 35 U.S.C. §103(a)

Claims 1 – 2, 4, 7 – 9, and 12 – 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Harris (WO 95/19974) in view of Aldrich (page 811, 1999). The Examiner states that the claimed compounds differ from those of Harris because the R_2 of the claimed compounds is para-fluorobenzene rather than meta-bromobenzene. The Examiner also states that this substitution would have been obvious in view of Aldrich. Furthermore, the Examiner has stated that the current claims can pertain to compounds having partial and full degrees of alkylation, such as the compounds shown in Harris.

Applicants respectfully assert that the compounds disclosed in Harris are all fully alkylated compounds. In Harris, the compounds are either entirely non-alkylated or fully alkylated. Harris teaches that R_{12} can be exclusively H or exclusively CH_2CO_2M, but never a combination of the two. See Harris, Page 8, lines 14 – 36. By contrast, the claims, as amended, clearly do not encompass fully alkylated compounds. If the compounds were fully alkylated, then all 12 R_1 groups would be CH_2CO_2K. However, the claims specifically require that at least one R_1 group must be H. Thus, it is literally impossible for the compounds of the current claims to be fully alkylated. The compounds of the current claims must be partially alkylated. Harris simply does not teach or suggest compounds that are partially alkylated. Selective alkylation of the compounds is difficult to accomplish, as is well known in the art. Nothing in Harris suggests that partial alkylation of the compounds is either feasible or desirable.

In light of the above reasons, it is submitted that Claims 1 – 2, 4, 7 – 9, and 12 – 15 are not obvious in light of the combined teachings of Harris and Aldrich.

IV. Conclusion

Applicants respectfully submit that, in light of the foregoing Amendment and comments, Claims 1 – 4, 7 – 9, and 11 – 15 are in condition for allowance. A Notice of Allowance is therefore requested.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully submitted,

T. Ling Chwang
Registration No. 33,590
JACKSON WALKER L.L.P.
2435 North Central Expressway, #600
Richardson, TX 75080
Tel: (972) 744-2919
Fax: (972) 238-3319

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